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CONSTANTINOUS TZORTZIS

JUNE 4, 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1577]

The Committee on the Judiciary, to which was referred the bill (S. 1577) for the relief of Constantinous Tzortzis, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Constantinous Tzortzis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Constantinous Tzortzis. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 52-year-old native and citizen of Greece who last entered the United States as a visitor on July 18, 1948. His application for adjustment under section 4 of the Displaced Persons Act was denied. He resides in Nashville, Tenn., where he has a brother and sister who are citizens of the United States.

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, November 29, 1950.

Hon. PAT MCCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2831) for the relief of Constantinous Tzortzis, an alien.

The bill would provide that Constantinous Tzortzis shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of his last entry upon payment of the required head tax and visa fee. It would also direct the Secretary of State to instruct the quota-control officer to deduct one number from the nonpreference category of the first available immigration quota for nationals of Greece.

The files of the Immigration and Naturalization Service of this Department disclose that the alien is a native and citizen of Greece, having been born on May 12, 1900, in Leontarion, Arcadias, Greece. He last entered the United States on July 18, 1948, via airplane, at New York City and was admitted as a temporary visitor under section 3 (2) of the Immigration Act of 1924 for a period of 6 months. His last application for an extension of temporary stay executed on December 24, 1949, was denied, but he was granted until April 20, 1950, within which to depart from the United States. It appears that an application for adjustment of the alien's status under section 4 of the Displaced Persons Act of 1948, as amended, is now being processed by the Immigration and Naturalization Service.

Mr. Tzortzis stated that his wife and six children are residing in Greece, that he is the owner of farm property there which is occupied by tenants, and that he is presently residing with his brother Jerry Georges in Nashville, Tenn. It appears that the alien is not employed and is entirely dependent upon his brother for support.

The alien is chargeable to the Greek quota which is oversubscribed, and an immigration visa is not readily obtainable. The record presents no facts, however, which would justify granting him a preference over the aliens abroad who are awaiting their turn for quota numbers. Furthermore, to enact this bill might encourage others to enter the United States in the guise of nonimmigrants and then attempt to circumvent the immigration laws by having their status adjusted to that of permanent residence.

Accordingly, the Department of Justice is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Estes Kefauver, the author of the bill, has submitted a number of letters and documents in connection with the case, among which are the following:

NASHVILLE 3, TENN., *April 14, 1950.*

Re Constantine Panagiotou Tziortzis

SENATOR ESTES KEFAUVER,
Senate Office Building, Washington, D. C.

DEAR SENATOR KEFAUVER: This will acknowledge receipt of your letter dated April 10, 1950, with enclosed letter from the Honorable Pat McCarran, Senator, chairman of the Committee on the Judiciary, regarding the above-named person and requesting certain information to be furnished prior to action being taken on your bill, S. 2831, which is now pending before the Standing Subcommittee on Immigration and Naturalization of said committee. I will endeavor to furnish you this information in the order requested.

(1) Mr. Tziortzis entered the United States on July 19, 1948, having been permitted to visit this country on a temporary visitation with his relatives here in Nashville, Tenn. In January 1948 he and his brother, Dr. Agisilaos Tziortzis, were fied upon by Communist agents in Greece which resulted in the death of his brother, which prompted Mr. Tziortzis' requesting permission to visit the United States for fear of the safety of his own life. Mr. Tziortzis left his wife and six children, and his mother, in Greece for fear that if he were killed this large family would lose its only means of support. After arriving in the United

States, Mr. Tziortzis received extensions to his visit for several reasons, some of which are—he had not completed obtaining the signatures of some of his relatives for the transfer of certain property which was occasioned by his brother's death; secondly, because he was receiving information through his family that although the Communist threat in Greece still existed, it was in a small measure lessening in degree.

Mr. Tziortzis has a brother and sister who are naturalized citizens of the United States living here in Nashville, Tenn., who are both outstanding citizens and are old-established, reputable business people. His brother, Mr. Jerry Georges, owns and operates the Chocolate Shop on Franklin Road, in Nashville, Tenn., and his sister and her husband, Mr. and Mrs. C. Anderson, own and operate a series of confectioneries known as Candyland here in Nashville and are known to be and respected as the finest Greek people that we have in this community.

Mr. Tziortzis feels that if he is required to return to Greece at this time he is almost sure to be murdered.

(2) His present activities are that of simply visiting and living with his relatives here in Nashville, Tenn. He has heretofore been advised by the immigration authorities out of Atlanta, Ga., that he was prohibited from engaging in any business of any sort.

(3) He is dependent on his brother for a living, who is well able and anxious to make this provision.

(4) He is not engaged in any activities, political or otherwise, injurious to the American public interest.

(5) He has not been convicted of an offense under any Federal or State law.

I hope this is the information that has been requested and in detail sufficient to Senator McCarran's committee; however, if there is any additional information required, I will be happy to furnish you with the same.

With kind personal regards, I am

Yours sincerely,

HOWARD F. BUTLER,
Attorney at Law.

CERTIFICATE

KINGDOM OF GREECE
NO. 393
Community of Leontariou

The President of the Community of Leontariou, certifies that:

Constantinos Tziortzis, a resident of the Community of Leontariou, the son of Panagiotis Tziortzis, is registered in the Official Records under No. 16, as born in the year 1900. He is a Greek National, born of parents of Greek Nationality, and a member of the Greek Orthodox Faith. He is and has been always a supporter of the lawfully and legally constituted Greek National Government, and was oppressed and persecuted by the Communists during the period of occupation of Greece by the Axis Powers. He and his brother, Dr. Agysilaos Tziortzis were captured by the Communists and imprisoned in a Communist concentration camp along with other loyal Greek subjects; were ill-treated; and during the same time his personal fortune, home and property were looted and ransacked by the Communists, and all movable property stolen by the Communists; that is to say, clothing, food, animals, etc. He was saved by a miracle from the aims of the Communists and after the liberation of Greece from the Axis, in 1947, August, again pursued by the Communists because he still maintained his nationalistic politics, and it became necessary for him, his family and his doctor brother for reasons of safety to displace themselves from their homes at Leontariou, Greece, and to seek refuge and security in the military base at Megalopolis, Greece. After his pisplacement from Leontariou to Megalopolis, his home and property was again looted and ransacked by the Communists.

In Megalopolis, Greece, on January 24, 1948, his brother, Dr. Agysilaos Tziortzis, was murdered by a member of the Communist group persecuting them, and the life of Constantinos Tziortzis was threatened by the same Communists who murdered his doctor brother, and it became necessary that he flee for his safety from Megalopolis, Greece, and displace himself again, in order to safeguard his life, since his remaining in Megalopolis constituted a danger to his life from the Communists, who continued at that time to endanger the lives and families of the peaceful citizens of the entire province, with murders, larceny, looting, and ransacking.

Because of the unsettled condition, continued hatred by still secret members of the Communist groups, Constantinos Tziortzis is at this time in danger of his life in the event of his present return to Greece.

This certificate is issued at the request of the said Constantinos Tziortzis for presentation and to be used in such instances as may be necessary to verify the above facts.

In Leontarion, the 12th day of October, 1951.

[SEAL] (Signed) EUTHEMIOS PAPASTATHOPOULOS,
The President of the Community.

STATE OF ILLINOIS,
County of Cook, ss:

George A. Askounis, being first duly sworn, on oath deposes and says that he is an attorney with offices at 100 West Monroe Street, Chicago, Cook County, Ill., that he has translated the contents of the document attached hereto from the Greek to the English language, and that the translation is a correct and accurate translation of the document attached in substance and in fact and form.

GEORGE A. ASKOUNIS.

Subscribed and sworn to before me, this 20th day of October A. D. 1951.

[SEAL] NICHOLAS C. VANOS,
Notary Public.

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1577), as amended, should be enacted.

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